

# Planning and Zoning Commission

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# STAFF REPORT

TO: CASA GRANDE PLANNING AND ZONING COMMISSION

**FROM:** James Gagliardi, City Planner

**MEETING DATE:** August 7, 2014

#### **REQUEST**

**Request by Evergreen Development Company** for the following land use approvals at 2461 and 2469 E Florence Blvd (APN 505-25-008F):

- 1. DSA-14-00049: Conditional Use Permit to allow a convenience-food restaurant use within the Mission Royale Planned Area Development (PAD).
- **2. DSA-14-00050: Major Site Plan** for a 3,616 sq. ft. convenience-food restaurant with drive-thru at 2469 E Florence and for the development of a separate 6,023 sq. ft. multi-tenant retail building at 2461 E Florence.

#### APPLICANT/OWNER

Alex Gonzalez, Evergreen Development Co. 2390 E Camelback Rd Phoenix, AZ 85016 P: 602-808-8600

Email: agonzalez@evgre.com

Raymond A. Lamb Florence Blvd & 1-10 LLC 17550 N Perimeter Dr No. 180 Scottsdale, AZ 85255

P: 480-458-2455

#### **HISTORY**

October 2. 1989: The site was annexed with the passage of Ordinance No.

1178.18 and zoned UR with the annexation.

October 5, 2000: Zone change (CGPZ-069-000) from UR to PAD for Mission

Royale.

January 6, 2005: PAD Amendment (CGPZ-001-005) to establish a family-

community south of Earley Rd and reduce golf course size.

May 12, 2005: PAD Amendment (CGPZ-093-005) to modify allowed uses

within the commercial area known as Parcel B of Mission

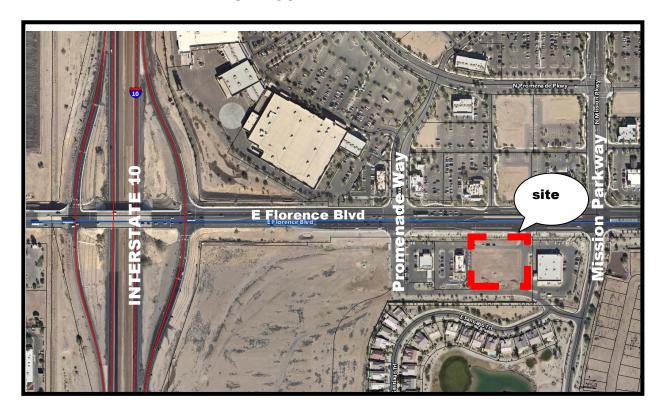
Royale

PROJECT DESCRIPTION		
Site Area	17.26 acres (Area to be developed = 2.06	
	acres)	
Current Land Use	Neighborhoods (Commercial)	
Existing Zoning	PAD	

# **Surrounding Land Use and Zoning**

Direction	General Plan 2020 Designation	Existing Zoning
North	Commerce & Business	PAD (Casa Grande Regional Shopping Center)
East	Neighboorhoods	PAD (Mission Royale)
South	Neighborhoods	PAD (Mission Royale)
West	Neighborhoods	PAD (Mission Royale)

## **SITE CONTEXT AERIAL**



# **General Discussion:**

The Applicant is requesting the approval of a Conditional Use Permit and a Major Site

Plan to accommodate the construction of Raising Canes Chicken Restaurant and a separate multi-tenant building on the empty PAD site between Culvers Restaurant and Walgreens (Exhibit A). Raising Cane's is proposed as a 3,616 sq. ft. convenience-food restaurant with a drive thru. Within the Mission Royale PAD, a convenience-food restaurant is a conditionally permitted use requiring consideration by the Planning Commission. The Major Site Plan proposed is to allow the placement of this restaurant and the 6,023 sq. ft. multi-tenant building (Exhibit B). This building is proposed to have two tenant spaces. Suite 1 is proposed to be 4,010 sq. ft. and Suite 2 is to be 2,013 sq. ft. with a 225 sq. ft. patio. No specific tenants are presently being considered with this plan; however the Mission Royale PAD allows uses such as certain types of retail, office, medical office, or restaurant. Uses requiring a Conditional Use Permit would first need to be considered by Planning Commission at a later time.

The parcel upon which these two buildings are proposed is a 17.26-acre platted lot known as Parcel 3 of the Resubdivison of Parcel 3 & 5, Mission Plaza at Mission Royale. The area considered for this development is 2.06 acres (Exhibit C). Prior to building permit, this parcel will be required to be re-subdivided into two separate lots, creating a new lot for the undeveloped portion, and a new lot for this area proposed for development. The Major Site Plan proposes a layout and parking supply that can accommodate Raising Cane's Restaurant and the multi-tenant building to be on two separate lots if proposed.

#### **COMFORMANCE WITH ZONING**

The property is part of the commercial portion of the Mission Royale PAD. Within this portion B-2 and B-3 uses are permitted with the exception of:

- 1. Automobile, boat or recreational vehicle sales, maintenance and rental (this does not preclude the sales of automotive parts or tire, or minor automotive repairs);
- 2. Game rooms, pool halls;
- 3. Sexually oriented businesses;
- 4. Tattoo parlors;
- 5. Pawn shops;
- 6. Rental centers, with outside storage or repair;
- 7. Meeting halls, fraternal lodges or private clubs;
- 8. Coin-operated laundry mats (this does not preclude dry cleaners);
- 9. Standalone liquor stores (this does not preclude the sale of liquor as a function of a larger retail establishment);
- 10. Convenience stores and fueling stations, unless they are associated with or ancillary to a larger retail establishment with the same complex.

The uses that are conditionally permitted within the B-2 and B-2 zone districts are conditionally permitted within the commercial portion of the Mission Royale PAD, such as convenience-food restaurants.

The development standards are specific to the Mission Royale PAD which are discussed further within this staff report.

The remaining portion of the Mission Royale PAD is residential, separated by a wall and landscape tracts. Across from Florence Blvd is a regional shopping center.

**Zoning Map** 





#### **CONFORMANCE WITH CONDITIONAL USE PERMIT CRITERIA, DSA-14-00049**

The Planning and Zoning Commission, in approving a Conditional Use Permit, shall find as follows:

That the site for the proposed use is adequate in size and topography to accommodate the use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly relate the use with the land and uses in the vicinity;

Staff finds that the proposed use is adequate in size and topography to accommodate this use. The proposed plan's setbacks, parking and landscaping are adequate in size and comply with the City's minimum requirements (Exhibit B). Site improvements such as buildings and structures for conditionally permitted uses are required to be separated

from any residential zone by at least fifty feet. Parking areas shall be separated from any residential zone by at least fifteen feet. The Major Site Plan shows the distance of 104 ft. between the closest structure (the dumpster enclosure) associated with Raising Cane's and the residential portion of Mission Royale PAD; and 64 ft. from its parking area to the residential portion of the Mission Royale PAD.

# That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

The Applicant submitted a Traffic Impact Analysis (TIA) which analyzes the project's impact to the existing and anticipated traffic conditions. The TIA, detailed Raising Cane's impact as well as the separate building projecting a retail and restaurant use. This was distributed to both the City Traffic Engineer as well as Arizona Department of Transportation (ADOT) since this portion of E Florence Blvd is State Route 287. Both the City and State found the TIA acceptable, with no recommended changes. The development proposes to use the existing north-south drive aisle adjacent to Walgreens to the east for its access onto E Florence. An existing drive aisle north of the proposed buildings exists to carry internal traffic between the commercial area of Mission Royale. Additionally, the site proposes to access the drive aisle to the south that runs behind the existing commercial development for E Florence access between Sams Club and Chase, as well access to Mission Parkway.

#### That the proposed use will have no adverse effect upon the abutting property;

No adverse effect upon abutting property is foreseen. To the south of the site is the residential portion of Mission Royale, the most sensitive area when considering this development. An existing masonry wall divides the residential and commercial portion of the PAD, and a 40 ft. landscaped area is between this wall and the existing east-west drive aisle to the south of the site. No single-family homes exist directly to the south of this area, as it is a 2.45-acre landscape tract for the residential portion of the Mission Royale PAD. The closest residence from this convenience-food restaurant is over 300 ft.

The request is compatible with the adjacent commercial uses, Walgreens and Culvers which serve not only the nearby residences but also existing Interstate-10 traffic exiting off of Florence for food and other services.

## That the proposed use shall be in conformance with the General Plan;

The designated land use per the General Plan for this site is *Neighborhoods*. This land use category was previously considered upon the property's zoning for the commercial area of the Mission Royale PAD, but also generally accommodates neighborhood and community commercial and service development on sites up to 20 acres. The floor area ratio is to have a maximum of 0.35. This site will have a particular floor area ratio of 0.108.

#### General Plan 2020 Map



# That the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare.

The conditions of approval of this conditional use permit request are deemed necessary to ensure public health, safety and general welfare per the Conditional Use Permit Resolution DSA-14-00049 (Exhibit D). The specific condition to ensure public health, safety, and general welfare of this conditional use is that hours of this restaurant shall not operate between the hours of 11:00 p.m. and 7:00 a.m. of the following day. This aligns with the conditional use permit resolution for Culvers Restaurant, directly to the west of the site.

#### **CONFORMANCE WITH MAJOR SITE PLAN REVIEW CRITERIA, DSA-14-00050**

Section 17.68.070 of the Zoning Code sets forth various review criteria that need to be evaluated in conjunction with the consideration of a Major Site Plan application. Staff's analysis of how the proposed Major Site Plan complies with each of these criteria is as follows:

#### Relationship of the plan elements to conditions both on and off the property;

The proposed development of the site is designed to be visually and functionally compatible with the surrounding existing and proposed development. The elevations proposed are comprised of a mixture of stucco and stone of muted colors (Exhibit E).

#### **Conformance to the City's General Plan**;

As discussed above, the proposed use is in conformance with its *Neighborhoods* land use designation.

#### **Conformance to the City's Zoning Ordinance**;

As discussed above, the zoning for this property allows most of the commercial uses found within the B-2 and B-2 zone districts with some exceptions. The proposed development complies in terms of setbacks, building height, landscaping, and parking facilities per the commercial portion of the Mission Royale PAD.

	Front	Side	Rear	Residential	Height	Floor
	setback			distance		Area
						Ratio
Required:	25 ft.	10 ft.	20 ft.	75 ft. building/25 ft. parking	35 ft.	0.35
Proposed:	84 ft.	10 ft.	87 ft.	104 ft. / 64 ft.	23 ft. 4 in.	0.108

# The impact of the plan on the existing and anticipated traffic and parking conditions;

The project's impact to the existing and anticipated traffic and parking conditions has been evaluated by the City Traffic Engineer and ADOT as discussed above. The internal circulation is provided by cross access easements via an east-west drive aisle on the north part of the site, a north-south drive aisle to the east of the site, and an east-west drive south of the site designed to accommodate the development of this pad site.



#### The adequacy of the plan with respect to land use;

The proposed plan is in compliance with the following applicable *Neighborhoods* Land Use category provisions as set forth in the General Plan 2020:

#### Appropriate Zoning

• This PAD (with B-2 and B-3 commercial uses) supports the proposed uses.

#### Infrastructure and Mobility

- Paved streets constructed to City standards and connected to the City-wide grid at key access points.
- Development that is connected to an approved water provider and City sewer.
- Services that are within this land use category meet or exceed City norms.
- Utilities that are provided underground.
- Bicycle parking is provided on the Major Site Plan

#### Spatial Form and Design

A primary entrance to the building is connected by a sidewalk.

#### <u>Pedestrian and vehicular ingress and egress;</u>

Pedestrian access is provided by utilizing exiting sidewalks along Florence and to the south of the drive aisle south of the site, and proposing a crosswalk across the north-south drive aisle east of the site to access an existing crosswalk to Walgreens. Also proposed is a north-south sidewalk from the drive aisle to the south of the site, north alongside the proposed convenience-food restaurant connecting to Florence Blvd.

Vehicular access is ensured through existing cross-access easements that exist throughout the commercial area of the PAD. The drive-thru is proposed to be accessed from the rear of the site, going alongside the north-south drive aisle east of the site and exiting toward the front of the site for quick egress onto Florence upon exiting. The length of the drive aisle assures for approximately 10 vehicles to queue from the pick-up window to the drive thru entry to eliminate potential of stacking onto drive aisles.

#### **Building location and height;**

As one lot, the buildings proposed are situated to create a navigable flow of vehicular and pedestrians accessing the site, and situated to maximize use of the east-west drive aisle that traverses the site toward Florence, creating a considerable distance from the residential area to the south. The heights of the buildings are between 22 ft. and 24 ft., well within the maximum 35 ft. height requirement.

#### Landscaping;

Most of the street-frontage portion of the landscaping of this pad site was previously landscaped with the development of the Culver's and Chase Bank and Walgreen

developments. The site proposes to include the strip of landscaping between Florence Blvd and that which is adjacent to Chase and Culvers. The landscape plans approved with the development of Chase Bank and Culvers have been incorporated into the landscape plans with this development (Exhibit F) as the Florence Blvd. frontage landscaping in front of those commercial developments is actually located on the subject property. In evaluating the landscape plan, it appears that the trees and shrubs that were required within the Florence Blvd. frontage are in place with the exception of three Texas Ebony trees. Accordingly, prior to Certificate of Occupancy these three trees will need to be planted.

Interior lot landscaping has proposed similar trees and shrub varieties than that which has been provided in the street frontage landscaping as well as the landscaping tract to the south of the site, and meets the landscape requirement.

#### **Lighting**;

A photometric plan was submitted (Exhibit G). All lighting will be sufficiently shielded in order to comply with the City's Light Control Ordinance.

#### **Provisions for utilities;**

The site may be serviced by the following utility providers:

- Sanitation Services (trash & sewer) City of Casa Grande
- Water- Arizona Water Company
- o Electricity- APS
- Gas- Southwest Gas
- Cox Cable
- Qwest Communications

#### Site drainage and grading;

A preliminary drainage and grading plan for the project was submitted and has been approved by City Engineering (Exhibit H).

#### Open space;

N/A

#### **Loading and unloading areas:**

The buildings are designed for deliveries to occur at their rear, away from street view.

#### Signage;

Signage will be reviewed and approved with a separate sign permit application. Because the site includes the landscaping strip adjacent to Chase and Culvers where existing free-standing signs exist and so that additional signage to accommodate this pad site is desired, a new Comprehensive Sign Plan is to be submitted for the consideration by the Board of Adjustment.

#### Screening;

No new screening is proposed by walls since the existing landscape treatment between the site and Florence Blvd, and the site and properties to the south have already been provided. New trees and shrubs will soften the edges of this property between and Walgreens and Culvers to the east and west, and between this property and the drive aisle to the south.

#### Setbacks;

As discussed above, the Major Site Plan demonstrates that the proposed placement of the two buildings complies with the setbacks as required of the commercial portion of the Mission Royale PAD.

#### Other Related Matters;

#### **Elevations**

Elevations for the buildings have been provided (Exhibit E), and are found to be compatible with the commercial development within Mission Royale. Within the Mission Royale PAD Guide, there is allowance given for the architecture within the commercial area to be absent of the old Spanish mission style theme, however there is a requirement that paint colors chosen maintain less than a 50% light reflectivity value; therefore, as a condition of approval the paint colors chosen shall be verified at the time of building permit for their light reflectivity value.

#### Refuse

Refuse will be stored within enclosures that meet City specifications as shown on the site plan. City Sanitation has a condition of approval. Presently there are conflicting dimensions. Both enclosures must have a depth of 10 ft. with bollards.

#### **Parking**

The Major Site Plan proposes to provide 86 parking spaces where 76 are required based upon the specific proposed uses and buildings. The 3,616 sq. ft. convenience food restaurant requires 35 parking spaces taking into account a public floor area of 1,750 sq. ft. parked at one parking space per 50 sq. ft. The 6,023 sq. ft. multi-tenant building assumes a retail use in the 4,010 sq. ft. suite, parked at one parking space per 250 sq. ft. for 90% of the floor area requiring 14 parking spaces. The 2,013 sq. ft. suite with a 250 sq. ft. patio assumes a restaurant use parked at one parking space per 50 sq. ft. of 1,250 sq. ft. public floor area and one parking space per 200 sq. ft. of outdoor patio requiring a total of 27 spaces.

#### **PUBLIC NOTIFICATION/COMMENTS**

#### Notification

Public hearing notification efforts for this request meet and exceed those requirements set out by City Code. They include:

• A notice was published in the Casa Grande Dispatch on July 21, 2014 for the

- August 7, 2014 Planning and Zoning Commission public hearing.
- Notice was mailed by the City of Casa Grande on July 23, 2014, fifteen days before the day of the hearing to each owner of property situated within 200 hundred feet of the subject property. The names and addresses of the owners were provided by the City of Casa Grande per Pinal County Ownership Data. An affidavit confirming this mailing was supplied by the City.
- A sign was posted by the Applicant on July 22, 2014 on the subject site. An
  affidavit confirming this posting has been supplied.

#### **Inquiries/Comments**

At the time of this writing no public comment has been received regarding this request.

#### RECOMMENDED MOTION

Staff recommends that Planning Commission approve:

DSA-14-00049 – Conditional Use Permit subject to the following three conditions:

- 1. The Conditional Use Permit shall be maintained in accordance with the approved Major Site Plan
- 2. The business shall not be in operation between the hours of 11:00 p.m. and 7:00 a.m. the following day.
- 3. A Preliminary and Final Plat re-subdividing Parcel 3 of Mission Plaza at Mission Royale to reflect the property to be used for this development shall be approved prior to issuance of a building permit.

**DSA-14-00050 – Major Site Plan** subject to the following condition and two technical modifications:

#### Condition:

1. The paint colors for the structures must have less than a 50% light reflectivity value to be verified at the time of building permit submittal.

#### **Technical Modifications:**

- 1. The dumpster enclosures meet city specifications, particularly a minimum of a 10 ft. depth and placement of bollards.
- 2. That prior to issuance of a Certificate of Occupancy three Texas Ebony trees be planted along the frontage of the site to be in compliance with the landscape plan.

### **Exhibits**

Exhibit A- Narrative

Exhibit B- Major Site Plan

Exhibit C- Total Parcel Area

Exhibit D- Conditional Use Permit Resolution DSA-14-00049

Exhibit E- Elevations

Exhibit F- Landscaping Plan

Exhibit G- Photometric Plan

Exhibit H-Preliminary Grading and Drainage Plan



www.evgre.com

#### Narrative for Evergreen's Proposed Development at Mission Royale

#### Florence Blvd. & Mission Pkwy., Casa Grande, Arizona

Evergreen Devco, Inc. is under contract to purchase the last remaining commercial lot of Mission Plaza at Mission Royale (located at the southwest corner of Florence Boulevard and Mission Parkway) and proposing a development of approximately 1.73-acres (75,503 square feet) comprised of a stand-alone pad for a fast-food operation with drive-through service and a 6,000 square foot multi-tenant shops building.

Evergreen's submittal will require approval of the following applications from the City of Casa Grande:

- A Conditional Use Permit for the convenience food restaurant and its drivethrough.
- A Preliminary Plat for subdividing the larger Parcel 3 into a smaller parcel for our development.
- A Major Site Plan application to approve the site plan and elevations of our buildings and improvements.
- An Amendment to the Mission Plaza Master Signage Program to secure signage on the side (east and west elevations) of our buildings.

The site plan and elevations presented during the development team meeting were prepared to gain conceptual direction and do not yet reflect tenant-specifics like a floor plan, for example, that will determine the required parking count.

Evergreen is prepared to combine the City's comments with the guidelines of the Development Guide for a Planned Area Development (PAD) for Mission Royale to design the site plan and elevations that will be submitted with the Major Site Plan application.

Exhibit B - Major Site Plan

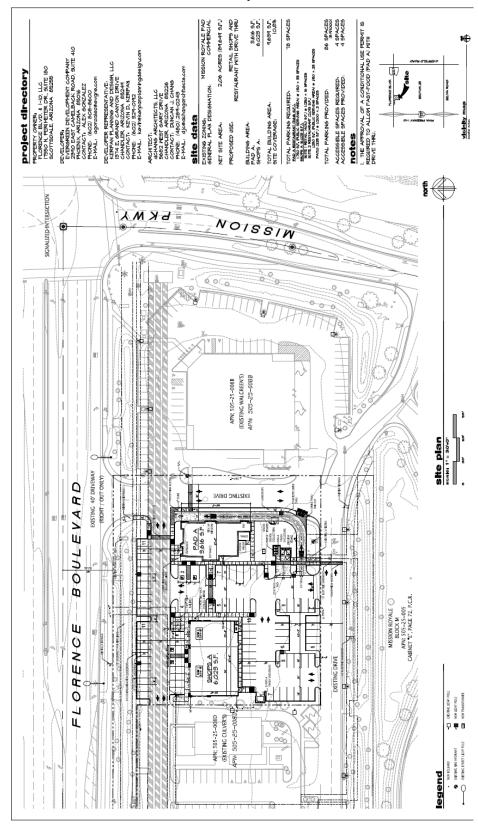
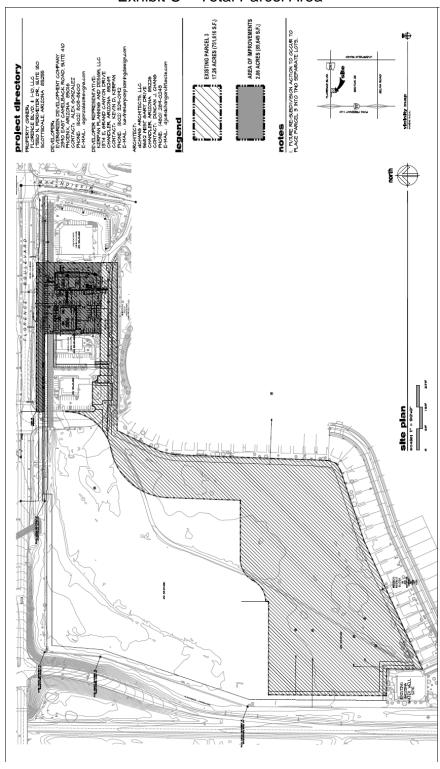


Exhibit C - Total Parcel Area



#### Exhibit D- Resolution

#### RESOLUTION NO. DSA-14-00049

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF CASA GRANDE GRANTING A CONDITIONAL USE PERMIT FOR A CONVENIENCE-FOOD RESTAURANT WITHIN THE MISSION ROYALE PLANNED AREA DEVELOPMENT (PAD), LOCATED AT 2469 EAST FLORENCE BOULEVARD.

WHEREAS, applicant Evergreen Development Company, has requested a conditional use permit;

WHEREAS, the conditional use permit is requested for a convenience-food restaurant located at 2469 E. Florence Boulevard;

WHEREAS, the property is zoned PAD (Mission Royale).

WHEREAS, a convenience-food restaurant is a conditionally permitted use within the Mission Royale PAD;

WHEREAS, on the 7th day of August 2014, the Planning and Zoning Commission of the City of Casa Grande held a public hearing regarding the request for the conditional use permit;

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande considered all public comments made at said hearing; and

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande has determined that the proposed use would be appropriate for the location proposed, subject to the conditions set forth in this Resolution;

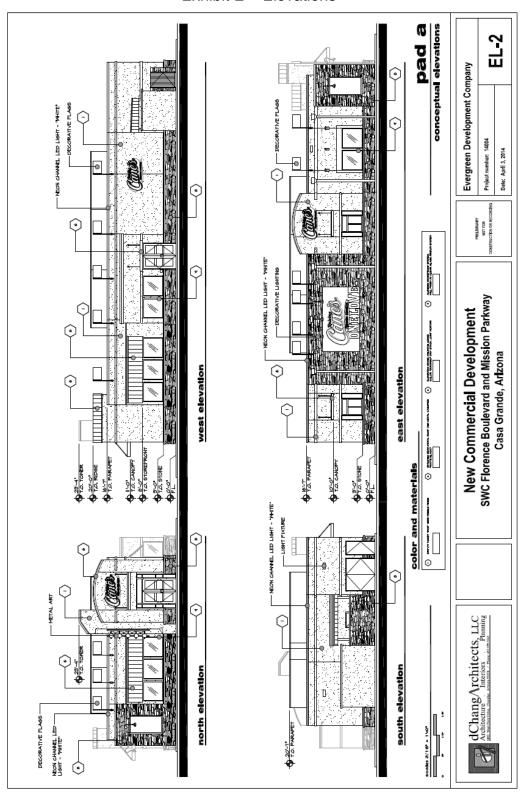
NOW THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the City of Casa Grande, Arizona, as follows:

- 1. The Planning and Zoning Commission of the City of Casa Grande makes the following findings:
  - a. The site for the proposed uses are adequate in size and topography to accommodate the uses, and all yards, spaces, walls and fences, parking, loading and landscaping is adequate to properly relate the uses with the land and the uses in the vicinity;
  - b. The site for the proposed uses relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

- c. The proposed uses will have no adverse effect upon the abutting property;
- d. The proposed uses are in conformance with the General Plan; and
- e. The conditions stated in this approval are necessary to protect the health, safety and general welfare.
- 2. The Planning and Zoning Commission of the City of Casa Grande approves the conditional use permit by the Applicant subject to the following specific conditions:
  - a. The Conditional Use Permit shall be maintained in accordance with the approved Major Site Plan.
  - b. The business shall not be in operation between the hours of 11:00 p.m. and 7:00 a.m. the following day.
  - c. A Preliminary and Final Plat re-subdividing Parcel 3 of Mission Plaza at Mission Royale to reflect the property to be used for this development shall be approved prior to issuance of a building permit.
- 3. The Planning and Zoning Commission of the City of Casa Grande approves the conditional use permit request by the Applicant subject to the following general conditions:
  - a. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure.
  - b. That the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors and assigns.
  - c. That all conditions specifically stated under any conditional use listed in this chapter shall apply and be adhered to by the owner of the land, his successors or assigns.
  - d. That the special condition shall be consented to in writing by the applicant.
  - e. That the resolution granting the application, together with all consent forms, shall be recorded by the county recorder.

Grande, Arizona, this day of _	by the Planning and Zoning Commission of the City of Casa, 2014.
	P & Z Commission Chairman
	Planning & Development Director
ATTEST:	APPROVED AS TO FORM:
City Clerk	Assistant City Attorney
APPLICANT and OWNER'S CON	SENT TO THE SPECIAL CONDITIONS
	nsent to the special conditions as enumerated above in st for a conditional use permit for a Commercial Recreation 04, Casa Grande, AZ.
	Alex Gonzalez, Evergreen Development Company Applicant
	Raymond A. Lamb, Florence Blvd & 1-10 LLC Owner

Exhibit E - Elevations



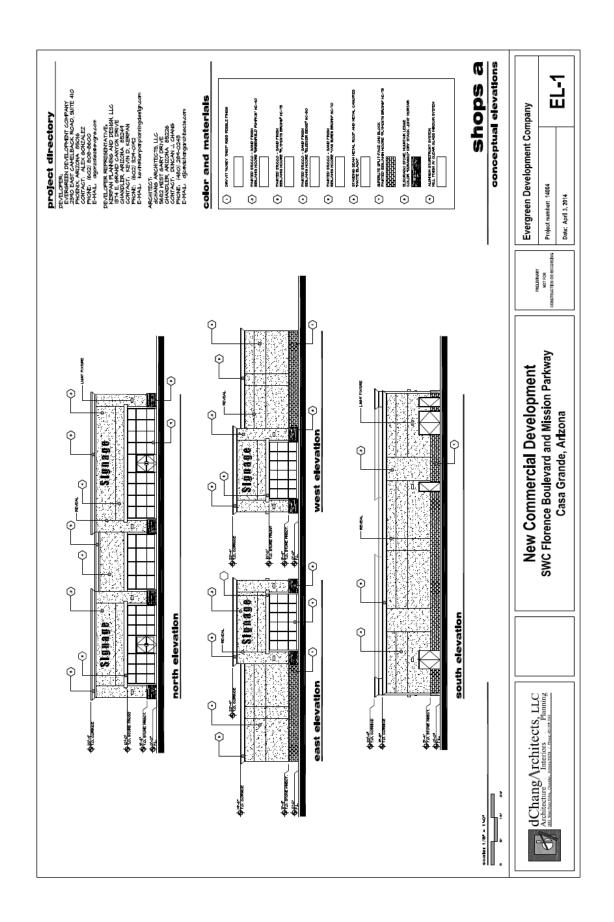


Exhibit F - Photometric Plan

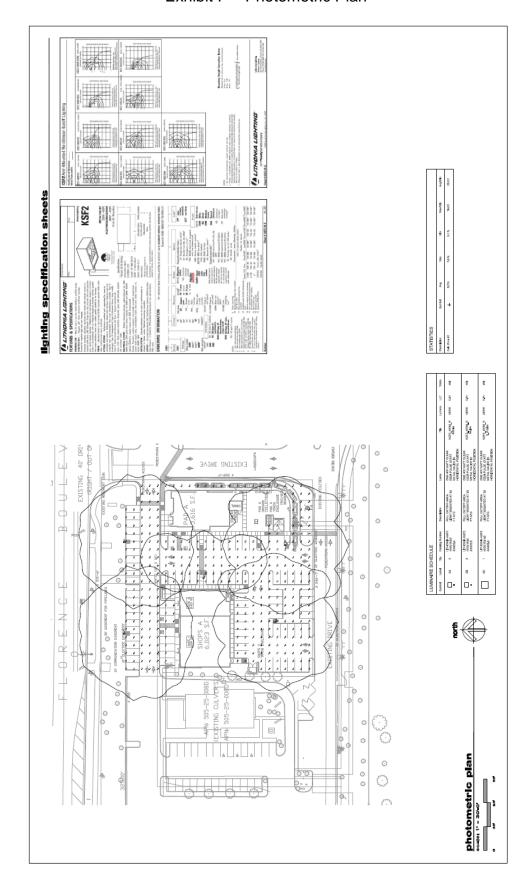


Exhibit H – Preliminary Grading and Drainage Plan

